IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

RSA No. 567 of 2006.

Date of decision: 22.12.2006.

Sher Singh ….. **Appellant.**

Vs.

Amin Chand & ors. …. **Respondents.**

Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

Whether approved for reporting?[1]

For the Appellant : **M/s Virender Singh & Mohit Thakur, Advocates.**

For the Respondent :

Surjit Singh, Judge (Oral).

Heard and gone through the record.

2. There had been a compromise in a civil suit filed by the appellant against the respondents. The trial court after satisfying itself that the parties had entered into a compromise and the compromise was lawful, disposed of the suit in accordance with the terms and conditions of the compromise and passed the order that compromise deed shall form part of the decree.

3. Learned counsel for the appellant does not assail the legality of the compromise. His only objection is that the trial court did not incorporate the terms and conditions of the compromise deed in the decree in accordance with the provision of Rule 3 of Order 23 of the Code of Civil Procedure.

Whether the reporters of the local papers may be allowed to see the Judgment?

4. It is true that the trial court was supposed to have passed a decree containing the terms and conditions of the compromise, but that is not so serious a defect as to invalidate the decree itself. The trial court has specifically stated that the compromise deed shall form the part of the decree. That means, the compromise decree is to be read into the formal decree passed by the trial court. There is no illegality in it.

5. In view of the above stated position, the appeal is dismissed, as no substantial question of law arises.

December 22, 2006. **(Surjit Singh)**
(*Hem*) **Judge.**